

REMARKS

Applicants have carefully reviewed the Requirement for Restriction, mailed on October 14, 2003. Claims 1-44 are canceled; claims 45-112 are added; as a result, claims 45-112 are pending in this application.

Support for the new claims is as follows: New claim 45 is supported in the specification at page 3, lines 32-36, at page 5, line 35 through page 6, line 4. New claim 60 is supported in the specification at page 5, line 33 through page 6, line 2, in Example 4, and in originally filed claim 1. New claim 80 is supported in the specification at page 11, lines 1-7, in Example 5, and in originally filed claim 21. New claim 98 is supported in the specification at page 11, lines 1-7, in Example 5, and in originally filed claims 14 and 21.

New claims 46, 61, 81, and 99 are supported in the specification at page 3, line 32. New claims 47, 62, 82, and 100 are supported in the specification at page 6, lines 8-11 and at page 5, lines 30-31. New claims 48, 63, 83, and 101 are supported in the specification at page 6, lines 33-34. New claims 49, 64, 84, and 102 are supported in the specification in Examples 2, 3, and 4.

New claims 50, 65, 85, and 103 are supported in the specification in Example 5. New claims 51, 66, 86, and 104 are supported in the specification at page 7, lines 1-3 and at page 12, lines 31-33. New claims 52, 67, 87, and 105 are supported in the specification at page 7, lines 1-3 and at page 12, lines 31-33. New claims 53, 68, 88, and 106 are supported in the specification at page 6, lines 8-11 and in originally filed claim 2. New claims 54, 69, 89, and 107 are supported in the specification at page 5, lines 30-32, at page 6, lines 8-11 and in originally filed claim 3. New claims 55, 70, 90, and 108 are supported in the specification at page 5, lines 30-32, at page 6, lines 8-11 and in originally filed claim 4.

New claims 56, 71, 91, and 109 are supported in the specification at page 6, lines 11-13 and in originally filed claim 5. New claims 57, 72, 92, and 110 are supported in the specification at page 6, lines 11-13 and in originally filed claim 6. New claims 58, 73, 93, and 111 are supported in the specification at page 6, lines 11-13 and in originally filed claim 7. New claims 59, 77, 94, and 112 are supported in the specification at page 4, line 14, at page 11, lines 32-34 and in originally filed claim 11. New claims 74, 75 and 76 are supported by originally filed

RESPONSE TO RESTRICTION REQUIREMENT

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Title: METHODS AND COMPOSITIONS FOR MODULATING THE IMMUNE SYSTEM OF ANIMALS

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claims 8, 9, and 10, respectively.

New claim 78 is supported by originally filed claim 12 and in Example 4. New claim 79 is supported by originally filed claim 13 and in Example 4. New claim 95 is supported by originally filed claim 43, and in the specification at page 11, lines 32-37. New claim 96 is supported by originally filed claim 44 and in the specification at page 11, lines 32-37.

Applicants believe no new matter is added by the amendments to the claims.

In this preliminary amendment, Applicants have canceled all of the previously pending claims, and are submitting a new set of claims. In response to the Restriction Requirement mailed October 14, 2003, Applicants provisionally elect without traverse the invention of claims 45-79, drawn to a method for modulating the immune response, classified in Class 424, subclass 130.1 and 163.1 (Group 1). It is believed that this claim set is properly classified in Group I and finds support in claims 1-13 and 33-44 as originally grouped by the Examiner.

Applicants have canceled the dietary supplement claims of Group II (claims 14-32) without prejudice, and reserve the right to reintroduce them in a divisional application at a later date.

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Conclusion

Applicants respectfully request a favorable examination of the merits of this patent application. The Examiner is invited to telephone Applicants' attorney (612-349-9580) to facilitate prosecution of this application. Please charge any additional fees deemed necessary to Deposit Account 19-0743.

Respectfully submitted,

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By

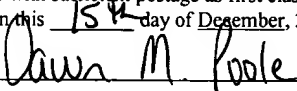


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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 15th day of December, 2003.

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